

IN THE DISTRICT COURT IN AND FOR OSAGE COUNTY
STATE OF OKLAHOMA

BOKF, N.A. D/B/A BANK OF OKLAHOMA,
SUCCESSOR BY MERGER TO BANK OF
OKLAHOMA, N.A.,

Plaintiff,

vs.

STEPHEN NICHOLAS LYNCH a/k/a NICK
LYNCH and GWENNA KAY LYNCH a/k/a
GWENNA LYNCH a/k/a GWENNA KAY
MORRISON a/k/a GWENNA KAY
MORRISON LYNCH, Husband and Wife;
Et. al.

Defendants,

District Court, Osage County, Okla.
FILED

MAR 19 2013

By ANGIE BRUCE, Court Clerk
Deputy

Case No. CJ-2012-37
Judge Gambill

KLEINCO RESIDENTIAL CONSTRUCTION, LLC'S
APPLICATION TO DISBURSE FUNDS

Kleinco Residential Construction, LLC ("KRC") moves the Court to disburse funds to KRC in the amount of \$157,811.16 plus accrued and accruing interest at the judgment rate from December 7, 2012. In support, KRC would show the Court as follows:

1. On December 7, 2012, Defendant KRC obtained a Consent Journal Entry of Judgment and Decree of Foreclosure wherein KRC was granted an *in rem* judgment against Defendants, Stephen Nicholas Lynch and Gwenna Kay Lynch (collectively "Lynch") in the principal sum of \$157,811.16, together with interest thereon at the judgment rate until paid. The Court ordered the sale of the real estate located at 12925 N. 68th West Avenue, Skiatook, Oklahoma 74070 more fully described as follows:

A Tract of Land in the Southwest Quarter (SW/4) of Section Thirty-One (31), Township Twenty-Two (22) North, Range Twelve (12) East of the I.B. & M., Osage County, State of Oklahoma, and more particularly described as

Exhibit
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beginning 880 feet West of the center of the above described Section Thirty-One (31), thence 880 feet West; thence 1980 feet South; thence East 882.9 feet; thence North 1980 feet to the point of Beginning (the "Property"). A true and correct copy of the Consent Journal Entry of Judgment and Decree of Foreclosure is attached hereto as Exhibit "1".

2. The Court further ordered that upon sale of the Property, the proceeds of said sale should be distributed as follows:

"1. Payment of the expenses of the sale.

2. Payment of the claim of the Plaintiff, BOKF, N.A. d/b/a Bank of Oklahoma.

3. Payment to the Osage County Treasurer all of the outstanding ad valorem taxes, costs and interest due at the time of the sale.

4. Payment to KRC in the sum of \$157,811.16, with interest thereon at the judgment rate.

5. The balance, if any, to be held by the Clerk of this Court to await the further order of the Court."

4. On February 26, 2013, the Property was sold for \$346,840.00 by the Sheriff of Osage County under special execution and order of sale issued by the Plaintiff, BOKF, N.A. out of the office of the Court Clerk of Osage County, Oklahoma.

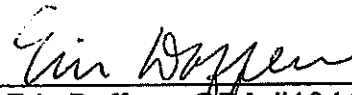
5. Plaintiff, BOKF, N.A. filed a Motion to Confirm Sheriff's Sale on February 26, 2013, which is scheduled for hearing on March 25, 2013 at 10:30 a.m.

6. Defendant, KRC requests that upon confirmation of the Sheriff's Sale and the payment of the expenses of the sale, payment of the claim of the Plaintiff, BOKF, N.A. d/b/a Bank of Oklahoma, payment to the Osage County Treasurer all of the outstanding ad valorem taxes, costs and interest due at the time of the sale, that the Court immediately disburse the sum of \$157,811.16, with interest thereon at the judgment rate from December 7, 2012 to KRC pursuant to the terms of the Consent Journal Entry of Judgment

and Decree of Foreclosure. The balance, if any, should be held by the Clerk of this Court to await the further order of the Court.

Wherefore, Defendant, KRC respectfully requests that upon confirmation of the Sheriff's Sale and the payment of the expenses of the sale, payment of the claim of the Plaintiff, BOKF, N.A. d/b/a Bank of Oklahoma, payment to the Osage County Treasurer all of the outstanding ad valorem taxes, costs and interest due at the time of the sale, that the Court immediately disburse the sum of \$157,811.16, with interest thereon at the judgment rate from December 7, 2012 to KRC pursuant to the terms of the Consent Journal Entry of Judgment and Decree of Foreclosure. The balance, if any, should be held by the Clerk of this Court to await the further order of the Court.

Respectfully submitted,

By: 
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And

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ATTORNEYS FOR KLEINCO
RESIDENTIAL CONSTRUCTION, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 15 day of March, 2013, I mailed a true and correct copy of the above and foregoing document to the following:

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& LEHMAN, P.C.
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